# TRANSLATION PATENT COOPERATION TREATY POT

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 0000055065			ice	FOR FURTHER A	CTION	See Form PCT/IPEA/416	
International application No.				International filing da	te (day/month/year)	Priority date (day/month/year)	
PCT/EP2004/012512			512	05.11.200	4	10.11.2003	
Internation	International Patent Classification (IPC) or national classification and IPC						
C100	C10G70/06, C10L3/10, B01 D53/14						
Applican  BASE		tienges	ellscha	aft			
1.				ninary examination rep e applicant according to		nternational Preliminary Examining Authority	
2.	This R	EPORT consists	of a total of	7	sheets, including	this cover sheet.	
3.	This re	port is also acco	mpanied by Al	NNEXES, comprising:			
	a. 🔀	(sent to the	applicant and	to the International Bu	reau) a total of 3	sheets, as follows:	
		sheets				mended and are the basis for this report and/or the 70.16 and Section 607 of the Administrative	
	sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental						
		Box.	I	D			
	b. (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s))						
	, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see						
				rative Instructions).			
4.	This re	port contains inc	dications relatii	ng to the following iten	ns:		
	$\boxtimes$	Box No. I	Basis of the	report			
		Box No. II	Priority				
		Box No. III	Non-establis	shment of opinion with	regard to novelty, inventi	ve step and industrial applicability	
		Box No. IV	Lack of unit	y of invention			
	$\boxtimes$	Box No. V		atement under Article 3 l explanations supporti	- · ·	ty, inventive step or industrial applicability;	
	$\boxtimes$	Box No. VI	Certain doci	uments cited			
	$\boxtimes$	Box No. VII	Certain defe	cts in the international	application		
		Box No. VIII	Certain obse	ervations on the interna	tional application		
Date of submission of the demand					Date of completion of thi	s report	_
Name and mailing address of the IPEA/EP					Authorized officer		
Facsimile No				Telephone No			

### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/EP2004/012512

Box	No. I	I	Basis of the report		
1.			the <b>language</b> , this report is based on the internation or this item.	nal application in the language in	which it was filed, unless otherwise
		-	ort is based on translations from the original languag the language of a translation furnished for the purpo		,
		int	ernational search (Rule 12.3 and 23.1(b))		
		D pul	blication of the international application (Rule 12.4)		
		int	ernational preliminary examination (Rule 55.2 and/	or 55.3)	
2.	recei		the <b>elements</b> of the international application, this ce in response to an invitation under Article 14 are		
		the intern	national application as originally filed/furnished		
	$\boxtimes$	the descr	ription:		
		pages	1-9		as originally filed/furnished
		pages*		received by this Authority on	
		pages*		received by this Authority on	
	$\boxtimes$	the claim	as:		
		nos.			as originally filed/furnished
		nos.*			with any statement) under Article 19
		nos.*	1–11		25.06.2005 with
		nos.*			
	$\boxtimes$	the draw			
		sheets			as originally filed/furnished
		sheets*	,_,_		
		sheets*		•	
			ice listing and/or any related table(s) – see Suppleme	•	
				ental Box Relating to Sequence Li	isting.
3.	ш		endments have resulted in the cancellation of:		
		the	e description, pages		
			e claims, nos.		
		the	e drawings, sheets/figs		
		L the	e sequence listing (specify):		
		•			
4.			ort has been established as if (some of) the amend e been considered to go beyond the disclosure as fil		
		L the	e description, pages		
		L the	e claims, nos.		
		L the	e drawings, sheets/figs		
		L the	e sequence listing (specify):		
		an	y table(s) related to sequence listing (specify):		
*	If ite	m 4 applie	es, some or all of those sheets may be marked "supe	rseded."	

International application No.
PCT/EP2004/012512

Box			ticle 35(2) with regard to novelty, inventive step or industrial applicability; oporting such statement	
1.	Statement			
	Novelty (N)	Claims	4, 5	YES
		Claims	1-3, 6-11	NO
	Inventive step (IS)	Claims		YES
		Claims	1-11	NO
	Industrial applicability (IA)	Claims	1-11	YES
		Claims		NO

- 2. Citations and explanations (Rule 70.7)
  - This report makes reference to the following documents:

D1: US-A-4 853 012 D2: US-A-4498 911 D3: US-A-5 853 680

2. The subject matter of claims 1, 2 and 5 to 10 is not novel within the meaning of PCT Article 33(2).

D1 (see the relevant passages cited in the search report) discloses a method of removing hydrogen sulphides and/or carbon dioxide, sulphur components from raw gases using absorption agents, regenerating this absorption agent in the presence of heat exchangers and obtaining an acid gas stream. The molar percentage of  $H_2S$  must therefore be 0 to 100 mol%. The pressure of the acid gas stream must be between 1 and  $\bf 5$  bar (column 3, lines  $\bf 53-\bf 56$ ). The absorption agent consists of aqueous solutions which contain alkanolamines. The disclosure of D1 is therefore prejudicial to the novelty of the subject matter of claims 1 to 3 and

International application No.
PCT/EP2004/012512

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

6 to 11 of the present application.

The combination of features in dependent claims 4 and 5 is not known from the available prior art because D1 does not disclose the solvent according to claim 4 and the aqueous solution.

3. The subject matter of claims 4 and 5 does not involve an inventive step within the meaning of PCT Article 33(2).

The subject matter of claims 3 and 4 differs from the method disclosed in D1 by the absorption agent. However, a person skilled in the art is familiar with the absorption agent defined in claims 3 and 4 from D2 and D3. The alternatives in claims 3 and 4 are merely obvious possibilities from which a person skilled in the art would select according to the circumstances, without thereby being inventive. For these reasons, the subject matter of claims 3 and 4 cannot be regarded as inventive (PCT Article 33(3)).

### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/EP2004/012512

Box No. VI	Certain documents cit	ed			
1. Certain pub	olished documents (Rule 70	).10)			
	Application No. Patent No.		Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
WO	2004/085036	A	07.10.2004	24.03.2004	26.03.2003
WO	03/092862 A		13.11.2003	02.04.2003	03.05.2003
WO	2004/071624	A	26.08.2004	24.01.2004	14.02.2003
WO	2004/082809	A	30.09.2004	27.02.2004	27.03.2003

2.	Non-written disclosures (Rule 70.9)		
	Kind of non-written disclosure	Date of non-written disclosure (day/month/year)	Date of written disclosure referring to non-written disclosure (dav/month/year)

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/EP2004/012512

Box No. VII	Certain defects in the international application		
The following defects in the form or contents of the international application have been noted:			
	Contrary to PCT Rule 5.1(a)(ii), the description		
	does not cite D1 to D3 or indicate the relevant		
	prior art disclosed therein.		

PCT/EP2004/012512

Supplemental Box

In case the space in any of the preceding boxes is not sufficient. Continuation of:  $\boldsymbol{I}$ 

### Basis of the report

1. The claims 1 to 11 submitted with the fax of 25

June 2005 meet the requirements of PCT Article

34(2)(b):

Claim 1 corresponds to the originally submitted claim 1. The new claim 2 is supported by the description, page 6, lines 38-39. Claims 3 to 11 correspond to the originally submitted claims 2 to 10.